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January 14, 2021

MEMO ENDORSED

Via ECF

Honorable Andrew L. Carter, Jr., U.S.D.J.
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY
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DATE FILED: 1/19/2021

Re: Claudia M. Peterson, Theodore Peterson, III vs. Siaka Anthony Cisse, Victor M. Paulino, Maria J. Cox-Vineyard, Gregory Vineyard
Case No.: 1:20-CV-06039(ALC)(SDA)
Our File No.: 0157

Dear Judge Carter:

I respectfully request that the Court accept this Letter Motion in lieu of a more formal Motion seeking a second extension of time to serve the remaining defendants in this matter.


The Court previously extended plaintiff's time to serve all defendants to January 31, 2021. Since that time we have successfully served Siaka Anthony Cisse and filed a Proof of Service. We have likewise located and attempted service on the Vineyard defendants and Victor Paulino. The process server has appeared at their addresses, however, the defendants will not answer the door. In order to effectuate service via "nail and mail" which involves affixing the Complaint to their door and mailing a copy we are conducting a DMV search with the State to confirm their driver's licenses still reflect the address that we are attempting service at.

As the process of locating the defendants, obtaining a response from the State for the DMV search will take several more weeks, as such we respectfully request that time to serve the remaining defendants are move for alternative service be extended one additional time to February 28, 2021.

We have been diligently pursuing service upon the defendants having located same, however, their refusal to answer the door requires an additional background investigation to validate proper service via "nail and mail".

Respectfully submitted,

Elias Abilheira
ELIAS ABILHEIRA

SO ORDERED:

HON. ANDREW L. CARTER, JR.
UNITED STATES DISTRICT JUDGE

EA:mb

cc: Honorable Stewart D. Aaron, U.S.M.J.

Dated: 1/19/2021